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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,044	04/08/2004	Robert Allan Faust	AUS920040056US1	9661
35525	7590	06/07/2006	EXAMINER	
IBM CORP (YA)			NGUYEN, JIMMY	
C/O YEE & ASSOCIATES PC				
P.O. BOX 802333			ART UNIT	
DALLAS, TX 75380			PAPER NUMBER	
			2829	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

8/1

Office Action Summary

Application No.

10/821,044

Applicant(s)

FAUST, ROBERT ALLAN

Examiner

Jimmy Nguyen

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 -20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 -3, 8 - 13, 17 -20 is/are rejected.
- 7) ☒ Claim(s) 4 -7, 14 -16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Argument

The examiner acknowledges the amendment filed 3/15/06 with the following effect;

The amendments are in mood of new ground of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 3, 8 – 13, 17 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over West (US 2004/0187049) in view of Kojima et al (US 6,294,949)

As to claims 1, 10, 19, West discloses (figs 2) a method, a system and computer product for monitoring and controlling a device using only one input/output (1/0) communication pin of said device, said method comprising:

configuring said 1/0 pin (pin connected to I/O line 108, fig 2) to be used to transmit and receive data;

On the other hand, West is silent on
generating logical ones using pulses that are a first length and generating logical zeros pulses that are a second length; and

communicating with said device utilizing said generated logical ones and generated logical zeros by transmitting said logical ones and zeros to said device

utilizing said I/O pin.

On the other hand, Kojima et al teach generating logical ones using pulses that are a first length and generating logical zeros pulses that are a second length (column 7 lines 14 – 24); and

communicating with said device utilizing said generated logical ones and generated logical zeros by transmitting said logical ones and zeros to said device utilizing said I/O pin.

It would have been obvious to one having an ordinary skill in the art at the time of the invention was made to modify the teaching of West and use pulse generating circuit as disclosed by Kojima et al for the purpose of generating appropriate test signal.

As to claims 2, 11, 20, West discloses (figs 2, 3) the method , system, a computer product according to claims 1, 11, 19 further comprising the steps of:

configuring said I/O pin (pin connected to I/O line 108, fig 2) by connecting said I/O pin to a first node (V_{db}) of a pull-up resistor (322) and connecting a second node (V_{ofb}) of said pull-up resistor (322) to a power source (V_{refb});
and

said I/O pin (pin connected to I/O line 108, fig 2) being configured as an open collector output that will serve as both an input pin and an output pin.

As to claims 3, 9, 12, 18, West discloses (figs 2) the method further comprising:

Generating logical ones and logical zeros (fig 3b) using an external device (102, fig 2) is coupled to device using I/O pin.

As to claims 8, 17, West discloses (figs 2, 3) the method according to claim 3, further comprising the steps of:

connecting a first node of a bi-directional driver (302)
that is included in said external device (102) to a first
communication pin of said external device (pin connected to I/O line 108, fig 2);
and
connecting said first communication pin to said I/O pin (pin connected to I/O line 108, fig 2) of said device (104).

Allowable Subject Matter

1. Claims 4 – 7, 14 - 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior arts of record are fail to disclose the combination of the based claim with the method according to claim 3, further comprising the steps of:

connecting a first node of a second resistor included within said external device to a power source;

connecting a second node of said second resistor to a first node of an LED;

connecting a second node of said LED to a first communication pin of said external device;

connecting said second node of said LED to a first node of a switch; and connecting a second node of said switch to ground.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy Nguyen whose telephone number is 571-272-1965. The examiner can normally be reached on M – F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ramtez Nestor, can be reached on 571 – 272 -2034. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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Jimmy Nguyen

19/5/06


VINH NGUYEN
PRIMARY EXAMINER
A.U. 2829
05/30/06